

REMARKS

This communication responds to the Office Action dated September 28, 2011. Claims 1, 14, 22-23, 28, 33, 42, 48 and 55 are amended, no claims are canceled, and no claims are added herein. As a result, claims 1-10, 14-17, 21-29 and 31-59 are now pending in this application.

Independent claims 1, 14, 22, 28, 33, 42, 48 and 55 have been amended. Support for these amendments can be found at least in Figure 2 of the Application, and at page 9 lines 11-23 of the specification. No new matter has thus been introduced.

Interview Summary

The undersigned thanks Examiner Beth Boswell for a conversation between the undersigned and the Examiner dated January 3, 2012 regarding the amendments to the claims proposed by the Applicant.

The Rejection of Claims Under §112

Claims 42-59 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Independent claims 42, 48 and 55 have been clarified by replacing “by summing one or more of the following” with “**by summing the following**”. Claims 47 and 53 have also been clarified to recite “wherein the one or more characteristic values and the community rating comprise numeric values.” Withdrawal of the rejections of the claims under 35 U.S.C. 112, second paragraph, is therefore respectfully requested.

The Rejection of Claims Under §102

Claims 42-43, 47-49, 50, 53, 55 and 56 stand rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by Ginn (U.S. Patent No. 6,052,723).

Since a *prima facie* case of anticipation has not been properly established by the Office Action in each case, the rejection of these claims is respectfully traversed.

The Office Action does not point out and the undersigned cannot find any portion of Ginn that discloses the feature “determining a community rating uniquely corresponding to a particular user by **summing** the following: (1) an individual feedback rating associated with the particular user, (2) an individual feedback rating associated with **each user of the plurality of users referred to the online trading community by the particular user**, (3) an individual feedback rating associated with **each user referred to the online trading community by each referred user of the particular user**” as recited in amended independent claim 42. (See Figure 2 of the Application and page 9 lines 11-23 of the specification).

At least for this reason, Ginn does not anticipate amended independent claim 42 (and its dependent claims). This argument presented with respect to amended independent claim 42 also applies to amended independent claims 48 and 55, which include features similar to amended independent claim 42. Accordingly, Ginn also does not anticipate amended independent claims 48 and 55 (and their dependent claims).

Withdrawal of the rejections of the claims under 35 U.S.C. § 102(e) is therefore respectfully requested.

The Rejection of Claims Under §103

Claims 1-8, 14-17, 21-29 and 31-41 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Epinions.com in view of Ginn.

Claims 9-10 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Epinions.com in view of Ginn and in further view of Aho et al. (Data Structures and Algorithms; hereinafter “Aho”).

Claims 46, 52 and 59 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Epinions.com in view of Ginn and in further view of Aho.

Claims 44, 54 and 57 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ginn in view of Zacharia et al. (Collaborative Reputation Mechanisms in Electronic Marketplaces; hereinafter “Zacharia”).

Claims 45, 51 and 58 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ginn in view of Epinions.com.

Since a *prima facie* case of obviousness has not been properly established by the Office Action in each case, the rejection of these claims is respectfully traversed.

Independent claims 1, 14, 22, 28, 33, 42, 48 and 55:

The Office Action does not point out and the undersigned cannot find any portion of cited Ginn and “Epinions.com” that discloses the feature “deriving a community rating uniquely corresponding to a particular user by summing an individual feedback rating associated with the particular user, one or more individual feedback ratings associated with one or more users referred by the particular user to the online trading community, and one or more individual feedback ratings associated with one or more users referred by the one or more users referred by the particular user to the online trading community” as recited in amended independent claim 1. (See Figure 2 of the Application and page 9 lines 11-23 of the specification).

None of other cited references (e.g., Aho or Zacharia) cures this defect of Ginn and “Epinions.com”. Accordingly, the cited references, taken alone or in combination, do not teach or suggest the above-quoted feature as recited in amended independent claim 1, and thus do not render amended independent claim 1 obvious.

The above argument presented with respect to amended independent claim 1 also applies to amended independent claims 14, 22, 28, 33, 42, 48 and 55, which have features similar to amended independent claim 1. Accordingly, the cited references also do not render amended independent claims 14, 22, 28, 33, 42, 48 and 55 obvious.

All dependent claims are also nonobvious, since any claim depending from a nonobvious independent claim is also nonobvious. See M.P.E.P. § 2143.03. Withdrawal of the rejections of the claims under 35 U.S.C. 103(a) is therefore respectfully requested.

AMENDMENT AND RESPONSE UNDER 37 C.F.R § 1.111

Serial Number 09/503,960

Filing Date, February 14, 2000

Title: DETERMINING A COMMUNITY RATING FOR A USER USING FEEDBACK RATINGS OF RELATED USERS IN AN ELECTRONIC ENVIRONMENT

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CONCLUSION

It is respectfully submitted that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone the undersigned at (612) 373-6966 to facilitate prosecution of this application. If necessary, please charge any additional fees or deficiencies, or credit any overpayments to Deposit Account No. 19-0743.

Respectfully submitted,

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Date 1/30/2012

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